





It is not surprising that the friends of Judge PHISTEN should attempt to extenuate his recent wanton and unprovoked assault upon the Conservative men in Kentucky, to whom the State is indebted for her exemption from many of the ills which afflict the unfortunate and sorrow-stricken South. But the effort of the *Bulletin* to excuse PHISTEN by maligning the gentleman against whom his violence was especially directed, shall not avail to screen his friend from any odium he may have justly incurred by his inflammatory and uncalled for attack upon gentlemen whom he will never forgive for their earnest devotion to their country and to the interests of Kentucky. In designating K. J. BROWN, of Washington county, as a Radical, the *Bulletin* speaks without information or else upon false information. An examination of the legislative records for the last nine years would have convinced the nominal editors of the *Bulletin* that its charge of radicalism against Mr. BROWN was unwarranted and wholly untrue. He never was a Radical and never gave a Radical vote. He is and has been a Conservative—an ultra Conservative. He was elected as a Conservative. We know Mr. BROWN well, and we know that no spark of radicalism could find a lodgment in his evenly balanced mind, or a place in his kindly and generous heart. There was a time when PHISTEN was regarded as an Abolitionist, but there never has been a time when BROWN was known as a Radical.

Nor is it true that Mr. BROWN was "indiscreet enough to boast of the good management of affairs in Kentucky, while the State was under the domination of the Radicals." Mr. BROWN claimed that the gratifying financial condition of the State, to which Judge PHISTEN had referred as attributable to the excellent management of the Conservative Union men. The management of Kentucky finances belonged to the civil administration of the State affairs by the State officers, and the civil affairs of Kentucky never were under the control of Radicals nor under their domination. They were always, until recently, in the hands of Conservatives. The claim of Mr. BROWN could not be disputed even by so bitter a reviler of conservatism as Judge PHISTEN.

If Mr. BROWN had "charged the Democracy with the intention of making a party question of the election of Judges," he would have been borne out in his allegation by the facts in the case. It is a lamentable truth, not only that the Democracy intend to make it a political question in the approaching election for judicial officers, but that all parties have made it since the adoption of the new Constitution establishing the elective system. PHISTEN could not have been elected in 1856 had it not been for the votes of the Democrats who gave them to him with the understanding among themselves that his conversion from an emancipationist to a pro-slavery Democrat would thus be secured. The writer of the article in the *Bulletin*, if we are not mistaken as to the author, will very probably himself make the canvass for Judge of the Circuit Court of this District as a strictly party question. There was nothing in the charge, then, if Mr. BROWN had made it, that ought to have called forth from Judge PHISTEN the venomous attack upon Conservatives which a portion of the Democratic press have seen proper to laud. But Mr. BROWN made no such charge against the Democratic party more than against all other parties. He objected to raising the salaries of Judges of the Circuit Courts, in which we think he was honestly wrong—on the ground that the financial future was involved in uncertainty; in answer to the argument that an increase of salaries was essential to secure the services of competent officers, he rejoined that the salaries now paid were more than the men generally elected to such places collected from their practice,—and that to increase the amount would not secure the services of the most competent men, because devotion to party and skill in political tripping had more weight with the nominating Convention than the abilities and qualifications of the aspirants. In both these assertions he was correct, and in neither was there any open or covert attack upon the Democratic party, and he expressly repudiated any intention to reflect upon that party. And this was the pretext seized upon by Judge PHISTEN for his wanton assault upon the Conservatives. In the absence of any provocation to such a tirade, we are inclined to the opinion that it was only the threatened interruption to the surface of that hatred long cherished in his heart to all men who defended the Union, and that the Representative from Mason felt compelled on this occasion to spit forth the acrobatic of gall to save himself from bursting.

Having determined to act with the Democratic party for reasons that are good and sufficient to us, we had not purposed to notice this characteristic and therefore malignant speech of Judge PHISTEN; but the lame defense of the *Bulletin* assailing others renders it necessary in vindication of the truth. If Judge PHISTEN designed his speech to have any coherence, it was his intention to hold the Conservatives equally with the Radicals responsible for, and to charge them with complicity with the military outrages and outrages of 1862 '63-4. Assuming this to be his wish and animus, in the name of those Conservatives of Kentucky, who, during the darkest days of military tyranny in Kentucky—when men like Judge PHISTEN, only careful of themselves, dared not speak save with hated breath—stood boldly forth as the champions of the National Democracy, and as the outspoken friends of the right of free elections and of personal and public liberty, we hurl back the slander into the teeth of their malicious calumniator. The records of the Legislature will prove that the Conservatives as a party, from 1861 till the close of the war, on all occasions and with the greatest emphasis, protested against such orders, arrests and outrages, and did all in their power to prevent them. With very few exceptions their individual influence was cast for the protection of the persons and property of their fellow citizens of Southern sympathies, and their ceaseless protests against military arrests, their investigations against

the perpetrators of these military outrages, their promptness ever to step forward to defend their neighbors of rebel sympathies in person and in property, were the occasion of their loss of influence with the military authorities—until at last they were in greater danger of molestation than the rebels themselves. The order of General BOYLE in 1862 prohibiting rebel sympathizers from being candidates for office under penalty of arrest, was not approved by the Conservatives as a party, nor was it asked for or countenanced by them. It is true that the *Louisville Journal* applauded that order, but that paper did not represent the Conservative sentiment of the State, to which it was shocking and abhorrent. It is also true that Conservatives were candidates for judicial positions and were elected. But the orders running after opponents were not of their seeking, and frequently were enforced against them and against their representatives. But at that time these orders could have affected the results but in very few cases, for though the course of the Federal Executive and the Radical party in Congress had even then weakened the Union sentiment of the State, it was still sufficiently strong overwhelmingly to have carried Kentucky. In fact these orders lessened rather than increased the vote cast for the Union candidates. The remarks of Judge PHISTEN apply to Judges ANDREWS, DOMPHAN, FOX, MUIR and other gentlemen whose exalted characters defy his vindictive assaults.

It must be remembered that in 1864, when Judge DUVALL was a candidate, for the Judgeship of the Court of Appeals he was supported by the Conservatives. The press was unanimously in his favor. We have personal knowledge of the fact that the Union Governor of the State desired and advocated his election. In fact he was their candidate. Conservatives made the canvass for him when Southern sympathizers would not undergo the hazard. Conservatives, in every way well qualified for the place, yielded the race to him, and urged him to make the race. And when he was driven from the State by the tyranny of BURBRIDGE, the Conservatives ever denounced the outrage when Judge PHISTEN prudently held his peace. It should be borne in mind also that when negro troops were robbing, plundering and brutally treating the people of this and other counties, Conservatives stepped forward to vindicate their rights and exerted themselves to obtain redress and a removal of scoundrelly officers—when such mild tempered, discreet and sagacious gentlemen as Judge PHISTEN cautiously held themselves aloof from all disturbing questions, and principally occupied themselves with studying how they might best take care of their own precious persons. It is only since all danger has passed away that they have grown eloquent and valorous in denunciation of military outrages.

We do not contend that Conservatives have made no mistakes or that they are immaculate. We do not pretend that in the midst of civil war, when all the fiercest passions of human nature were aroused, and when excited by personal controversy, they were not betrayed into expressions that their own cool judgments did not afterwards condemn, and which did not even accord with their sincere convictions at the time. But we do say that throughout the long and bloody struggle they made every effort that could be made, frequently and successfully, to mitigate the hardships of civil strife upon peaceful citizens, and though they did not accomplish all they sought, and were not always able to protect their fellow citizens, yet their influence was exerted to that end. To them Kentucky is indebted for her prosperous financial condition—to them the people, including their calumniators and vilifiers, owe our present exemption from the evils of military satrapism, negro suffrage, beggary, devastation and the thousand plagues which secession and radicalism combined to bring upon the South. Their sufficient vindication will be the comparison of the condition of Kentucky with that of any slave State which went into the rebellion, or had the deplorable misfortune to fall under radical domination.

ELSEWHERE we publish the card of Gen. BURBRIDGE and the reply to it by S. S. MARSHALL in the House of Representatives. It will be news to the friends of young LONG and young HUNT, who were shot by order of BURBRIDGE, that he was a murderer and felon. Gen. BURBRIDGE can not whitewash his own reputation by blackening the characters of his murdered victims. Whenever Gen. BURBRIDGE condescends to notice the charges and specifications of so humble and insignificant an individual as myself, we will produce the proof or make him full and ample amends for our publication. As the matter stands his card has the appearance of an electioneering document addressed to a radical Senate rather than a vindication of his bloody career in Kentucky.

The editor of this paper has always been and still is a Union man. The members of the Conservative party were Union men during the war, and do not profess to have undergone any change since its successful termination. For more than six years they have acted with the Democratic party of the nation. The editor of the *Clark County Democrat* fought the Democratic party for several years in the Southern army, but since the close of the war he has been marching under the Democratic flag. Very properly he claims to have become a Union man contemporaneously with enlisting in the Democratic ranks. And still he talks glibly and somewhat pertly of the Conservatives as "new converts" to the Democratic party. In this our contemporary talks ridiculously.

The Democrats of the New Jersey Legislature have passed resolutions recommending ex-Governor JOEL PARKER, of that State, for the Presidency. We heartily wish the Democracy could be induced to accept so good and true a man. He is a patriot—every inch of him. Under his leadership we would hope that victory might perch upon the Democratic standard. His administration in New Jersey proved him to be possessed of splendid executive abilities. He would be acceptable to the moderate Republicans whose accession is essential to success, and would unite all classes of the Democracy.

Very few people know how great is the danger of another war. The Flemingburg Democracy, led on by the chivalrous editor of the *Democrat*, whose responsibility for all he says and writes has been proclaimed a thousand times, have solemnly and formally invited the exiled J. C. BURBRIDGE to return to Kentucky. Now we presume these resolutions will be forwarded to the illustrious martyr, and of course he will return by the next ship. How could he decline to do so when thus encouraged and pressed? If he should do so, as, of course, he certainly will, there is a slight probability that A. J. J., or U. S. G., might have him arrested and placed in duress. According to the customs of all nations the fierce and undimmed Democracy of Fleming would be compelled to accept this *casus belli*, and forthwith put their armies and fleets in an offensive attitude. They could not honorably do otherwise, and who can doubt that the Democracy of Fleming will go whether honor calls? U. S. G. has little idea of what danger awaits him and his command. Though he does not frequently venture on the offensive, the spirited editor of the *Democrat* is celebrated for his defensive strength. He invariably makes a "desperate resistance" to all assaults. Assailed at home, in the very citadel of their strength, and under such a leader, the valorous Democracy of Fleming could not but be victorious. The danger of hostilities is imminent. The only hope of averting them is that Gen. GRANT will have the sagacity to appreciate the fearful odds against which he will be required to march his forces, and will permit the said J. C. B. to return unmolested. The absorbing question now is U. S. G., and A. J. J., back down or risk the overthrow of the Government and the capture of Washington by the redoubtable L. A. W. and his squadrons?

In the Ashland District there are a number of candidates for the Democratic nomination for Commonwealth's Attorney, who are making a regular canvass of the District, and between whom quite a bitter warfare is being waged. Of course the nomination will be given to some person who fought in the rebel army, and of these Col. W. C. P. BURBRIDGE has the most talent, is the best lawyer, is the youngest man and consequently has the most vigor and the greatest promise of future usefulness, and is in every way the best qualified for the position. Some years ago we knew him well and intimately, and of a class said to be the first in point of natural ability that ever graduated at Centre College, he was the foremost intellect in strength and versatility. In talent he will compare favorably with any man now living in that District, or in Kentucky, and though the lowest in physical stature of all the military candidates for the position, he is head and shoulders above them all in comprehension, acuteness and brilliancy of intellect. We have a near relative who is one of the candidates, but as he stayed at home and did not war against Kentucky we take it for granted he has no chance for the nomination. Of those who did, we hope we may, without injury to him, be permitted to express a decided preference for W. C. P. BURBRIDGE as the man in every way fittest for the place. In consideration of the fact that Mr. BURBRIDGE was the only Democratic editor in Kentucky who saw fit to assail the writer of this when a candidate, we hope that this will not be set down purely to personal preference, but be accorded as an honest judgement of his abilities formed under opportunities of acquaintance possessed by very few of his associates.

The Montgomery Literary Club has finally determined that "the Five-Twenty Bonds should be paid in greenbacks." That settles the question. Henceforth it is a dead issue and will be no longer a topic of political dispute. To Col. TRAXER, formerly called TOM, the nation is indebted for the quietus given to the vexed question. After that, if he is not elected Judge of the Court of Appeals it will be but another sad proof of the ingratitude of republics.

CONGRESS.  
In the House, on Friday, (31st) Mr. MARSHALL, rising to a personal question, sent to the Clerk's desk and had read, a card from Major General Barbridge published in this morning's Washington Chronicle, in reference to a speech made by Mr. MARSHALL in the House, characterizing General BURBRIDGE as the military Jeffries of Kentucky. The card designates Mr. MARSHALL as a reckless and vindictive man, true to his perversity nature; and the writer says that he apprehends there is not a heart so debased, unless it be among this man's faithful confederates, as to believe such a statement, and not another tongue so false as to utter it. This card, Mr. MARSHALL said, demanded some little attention at his hands. General BURBRIDGE had, after waiting eight or ten days, thought fit to apply to him self the epithet of American Jeffries. If in the heat of debate he should ever do injustice to any one citizen or soldier, it would be the highest gratification of his life to repair the injury done. There were frequently men in the Union uniform who, during the late war, had not been governed by high, noble, and manly principles, and who, when they succeeded in obtaining places of power, developed some of the worst features of human nature. Those remarks, he said, were general, and had no special or personal application at this time. History proved that when charges were made against such persons they attempted too often to screen themselves from investigation by turning on those who had made the charges, and accusing them of being in sympathy with the enemies of the country. So far as that attempt had been made in his (MARSHALL'S) case, he would say if General BURBRIDGE had been acquainted with his (MARSHALL'S) humble history, he would have known that the charge was utterly and entirely false. There could be no personal issue whatever between General BURBRIDGE and himself. He (MARSHALL) knew nothing, and could know nothing of his (BURBRIDGE'S) conduct during the war; but the charges to which he had made allusion were made by persons of the highest respectability and responsibility in Kentucky, who, he understood, were prepared to prove them by testimony. He hoped General BURBRIDGE would be able to vindicate himself from these charges, which had been seriously and gravely made, but the way to do so was not by publishing scurrilous cards.

The House adopted a resolution instructing the Judiciary Committee to inquire into a report that one of the Justices of the Supreme Court had publicly denounced the present measures of Congress as an attack on the Constitution, and also if the facts would justify articles of impeachment. It is understood that Justice FIELD is the person aimed at.

On Monday, (3d inst.) the Senate passed the House bill authorizing the States to take the shares of National Bank stock owned in each State respectively. The bill requires that the tax shall be at the same rate as that levied upon other stocks and monies.

In the House, on the same day, Mr. HERRING, of West Virginia, offered a resolution directing the Secretary of War to transmit copies of all the correspondence between him and the Executive touching his authority as Secretary of War to issue orders; all correspondence between him and the General-in-Chief on the same subject, and all correspondence that may have been furnished him between the President and General-in-Chief, relating to subjecting, by the General, or any orders by the War Department. Adopted.

The House resumed the consideration of the contested election case from the Second District of Kentucky, and Mr. KERN, of Indiana, argued against the resolution of the majority of the committee, excluding JOHN YOUNG BROWN. When he finished, the case was postponed one week, to allow Mr. BROWN to come in and be heard, and the House adjourned.

In the Senate on Wednesday, February 5th, a bill was passed authorizing the Secretary of War to employ counsel for General Meade and his officers in any suits that may be brought against them for acts committed under the Reconstruction Laws. This was done because of Attorney General STANBURY's known belief that these laws are unconstitutional, and his unwillingness, therefore, to defend officers for acts done under their authority.

The same bill afterward passed the House. The reconstruction debate was continued in a speech made by Mr. MORRILL, of Maine. In the course of his remarks Mr. MORRILL created a good deal of amusement by quoting a series of resolutions offered by GARRETT DAVIS in 1862, in which the right of Congress to reduce the rebel States to territories in the event of their continued resistance is said to be distinctly asserted. Mr. DAVIS promised to explain the matter in a speech a few days hence, but Mr. MORRILL said that was unnecessary, and that the only question was, whether DAVIS or SUMNER was entitled to the credit of first announcing the territorial doctrine. Congress, he said, had never attempted to go as far as the DAVIS resolutions.

On the same day the House resumed, as unfinished business, the bill pending on Tuesday to declare forfeited certain lands heretofore granted to the Southern States for railroad purposes, and, after exempting the Nashville and Decatur Railroad, the bill passed by thirteen majority.

THE KENTUCKY LEGISLATURE.  
On Friday, January 31st, the following bills were introduced into the Senate with results as stated, viz:

Mr. ALEXANDER—Internal Improvement—A bill to amend an act to incorporate the Fleming County Cemetery Company. Passed.

Same bill to incorporate the Mt. Carmel, Esculapia, and Killbuck turnpike road company. Passed.

In the House on the same day, reported on behalf of the Judiciary Committee, to whom the subject had been referred, that the act approved March 3d, 1860, entitled an act to amend an act requiring the registration of births, marriages and deaths, had been repealed by subsequent legislation. The bill to re-enact the law was then rejected by one majority.

The House passed a bill to establish two additional judicial districts in Mason county. Also a Senate bill to levy a tax to aid in building turnpike roads in Lewis county.

Also a Senate bill for the benefit of Mt. Carmel, in Fleming county.

On Saturday, February 1st the House took up the bill to continue in force an act to regulate the fees of chancery, circuit and county court clerks, approved Jan. 21st, 1865. Passed—yeas, 63; nays, 7.

The House then took up the bill to continue in force an act, entitled an act to fix the fees of sheriffs, approved February 4, 1865. Passed—yeas, 63; nays, 6.

Mr. CORBETT offered the following resolution, which was adopted, viz:

Resolved, That the Committee on Internal Improvement is hereby instructed to inquire into the expediency of the State selling out or leasing her interest in the turnpike roads and slackwater navigation of the Kentucky, Green, and Barren rivers; and that they report by bill or otherwise.

Mr. FEARNS offered the following resolution which was adopted, viz:

Whereas, The Commonwealth of Kentucky abounds in vast regions of coal, iron, and other valuable minerals, which, if developed and properly transported, would find a ready market, and conduce greatly to the wealth of the State and the prosperity of her people, but for the want of which, they are driven to the necessity of seeking a foreign market to procure those indispensable articles, coal and iron—

Now, therefore, in view of the foregoing facts,

Be it resolved, That, in addition to the standing committees of this House, a committee be appointed, to be styled the Committee on Mining, whose duty it shall be to take into consideration the mining interests of this Commonwealth.

Mr. JEFFERSONS offered the following joint resolution, which was adopted, viz:

BIRDBOWER—GARRARD.—January 30th at the trial of the bride's parents, by Elder David W. H. Birdbower, of Evansville, Ind., formerly of Maysville, Ky., to Miss Mary, daughter of John T. Garrard, Esq., of Paris, Ky.

MITCHELL—KINER.—At the residence of the bride's father, Mr. H. K. Kiner, near Galesburg, Ky., on the evening of the 23d inst., by the Rev. J. M. Medley, Capt. Joseph Mitchell, clerk of the Court, to Miss Jane Stewart, daughter of Mr. H. H. Stewart, Esq., both of Evansville, Ky.

BY-LAWS.—On Wednesday, January 7, 1868, by Res. J. S. Leavelle, Mr. D. H. Boyd and Mr. C. H. Himes, all of Lewis county, Ky.

DIED.  
D'WNEY.—A. H. D'WNEY, in the Pagan Hotel, in Lexington, on Thursday night last, Major V. J. D'WNEY, in the 47th year of his age.

Obituary.  
LYNN.—On Tuesday morning, the 11th inst., at an illness of only a few days, Mr. M. S. Lynn, aged 73 years, died at his residence in Lexington, Ky. Mr. Lynn was a native of N. H., and resided in Lexington for many years. He was a member of the Lexington Baptist Church, and a devoted member of the same. He was a man of high character, and a man of high standing in the community. He was a man of high character, and a man of high standing in the community. He was a man of high character, and a man of high standing in the community.

ANNOUNCEMENT.  
We are authorized to announce Judge B. J. PETERS, of Montgomery—the present incumbent—as a candidate for reelection to the Appellate Bench in the First Appellate District, subject to a Democratic convention of the District.

SPECIAL NOTICE.  
To MARY or NOT to MARY? Was Not? Serious reflections for young men, in the name of the Howard Association, on the Physiological Errors, abuses and diseases induced by ignorance of Nature's laws in the first age of man. Sent in sealed letter envelope, free of charge. Address: Dr. E. L. LIN HOUTON, Howard Association, Philadelphia, Pa.

TO CONSUMPTIVES.—The Rev. EDWARD A. WILSON, will send (free of charge), to all who desire it, the prescription with the directions for making and using the simple remedy, which he has cured of a lung affection, and that of chronic Consumption. His only object is to benefit the afflicted and he hopes every sufferer will try this prescription, as it will cost them nothing, and may prove a blessing.

REV. EDWARD A. WILSON, No. 105 South Second Street, Williamsburg, N. Y. No. 21 West 12th Street, New York.

ESKIN'S OINTMENT.—A Gentleman who suffered from Nervous Debility, Premature Decay, and all the effects of youthful indiscretion, will, for the sake of suffering humanity, send free to all who need it, the receipt and directions for making the simple remedy by which he was cured. Sufferers wishing to profit by the advertiser's experience, can do so by addressing, in perfect confidence, JOHN B. OGDEN, 6 Cedar Street, N. Y.

Mayville Markets.  
CORRECTED WEEKLY BY E. GRANT, Wholesale Grocer, corner Second and Sutton streets.

COFFEE—Common to choice 21 to 25.  
SUGAR—No. 1, 15 1/2; No. 2, 15 1/4; No. 3, 15 1/8; No. 4, 15 1/8; No. 5, 15 1/8; No. 6, 15 1/8; No. 7, 15 1/8; No. 8, 15 1/8; No. 9, 15 1/8; No. 10, 15 1/8; No. 11, 15 1/8; No. 12, 15 1/8; No. 13, 15 1/8; No. 14, 15 1/8; No. 15, 15 1/8; No. 16, 15 1/8; No. 17, 15 1/8; No. 18, 15 1/8; No. 19, 15 1/8; No. 20, 15 1/8; No. 21, 15 1/8; No. 22, 15 1/8; No. 23, 15 1/8; No. 24, 15 1/8; No. 25, 15 1/8; No. 26, 15 1/8; No. 27, 15 1/8; No. 28, 15 1/8; No. 29, 15 1/8; No. 30, 15 1/8; No. 31, 15 1/8; No. 32, 15 1/8; No. 33, 15 1/8; No. 34, 15 1/8; No. 35, 15 1/8; No. 36, 15 1/8; No. 37, 15 1/8; No. 38, 15 1/8; No. 39, 15 1/8; No. 40, 15 1/8; No. 41, 15 1/8; No. 42, 15 1/8; No. 43, 15 1/8; No. 44, 15 1/8; No. 45, 15 1/8; No. 46, 15 1/8; No. 47, 15 1/8; No. 48, 15 1/8; No. 49, 15 1/8; No. 50, 15 1/8; No. 51, 15 1/8; No. 52, 15 1/8; No. 53, 15 1/8; No. 54, 15 1/8; No. 55, 15 1/8; No. 56, 15 1/8; No. 57, 15 1/8; No. 58, 15 1/8; No. 59, 15 1/8; No. 60, 15 1/8; No. 61, 15 1/8; No. 62, 15 1/8; No. 63, 15 1/8; 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**The Railroad Meeting on Thursday.**—MAYSVILLE, KY., February 6th, 1868.—The stockholders of the Maysville and Lexington Railroad Company, Northern Division, pursuant to public notice given by the president of the company, met at the residence of Judge of the Mason county court through the newspapers at Maysville, in conformity with the act of the General Assembly, approved January 21st, 1868, entitled "an act for the benefit of the Maysville and Lexington Railroad Company," met in the Council Chamber in the City of Maysville, Kentucky, on Thursday, the 6th day of February, 1868, and organized by call of the Hon. Richard H. Stanton to the Chair, and appointing Robert A. Cochran Secretary.

The books were then opened and additional shares of stock subscribed; after which, on motion, the meeting decided to go into the election of seven Directors for said Company.

On motion Geo. W. Sulzer was appointed assistant Secretary.

Nominations for Directors were then made by Harrison Taylor, Thomas J. Throp and Joseph K. Sumrell, the Presiding Judge of the Mason County Court; and, after considering the same, the nominations of Messrs. Taylor and Throp were withdrawn, and those of Mr. Sumrell, to-wit: Hiram T. Pearce, Andrew M. Jannery, John S. Mitchell, James Barbour, Lewis H. Long, Alexander K. Marshall and James H. Hall, were declared to be the only candidates in nomination; and, the vote being ordered, the Presiding Judge of the County Court, on the part of Mason county, cast the following vote, to-wit:

For Hiram T. Pearce	65,000
Andrew M. Jannery	"
John S. Mitchell	"
James Barbour	"
Lewis H. Long	"
Alexander K. Marshall	"
James H. Hall	"

This being a majority of all the shares subscribed, a motion was made that the election of these gentlemen as Directors of the Maysville and Lexington Railroad Company, Northern Division, be made unanimous, which was carried.

The names of all the private stockholders were called, by direction of the Chairman, and all present voted for said gentlemen as Directors.

The meeting then adopted the following resolution, viz:

**Resolved,** That the Board of Directors of this Company, be requested by the stockholders now present at this meeting, to communicate with the Presiding Judge of the County Courts of Bourbon, Nicholas and Fleming, counties, and urge the importance of an early submission of the question of a subscription by said counties to the capital stock of this Company to the people of said counties.

On motion the meeting then adjourned.

R. H. STANTON, Chairman.  
R. A. COCHRAN, Secretary.

**The Mule Trade.**—The Paris Kentuckian of the 4th inst., says:

W. B. Strode of Mason county, has returned from Penn'a., where he disposed of a lot of mules at fair prices, all things considered. His sales ranged from \$75 to \$140 per head.

A brother of Hiram Barclay, Esq., of Clark, is in Macon, Mississippi, with a lot of thirty mules—half of the lot he took down. Being an energetic trader he has succeeded in disposing of thirty head at prices averaging \$19 per head, and by next week will probably have sold the rest. The sales were chiefly for cash, a small portion of the proceeds being received in cotton.

A Mr. Smith, of Indiana, had sold a lot at the same place, at wholesale, for \$75 per head.

Bush Heart, of Leesburg, returned from Montgomery, Ala., last Saturday. He and Will Heart took a drove of mules and horses to that place last fall. They have sold their mules at about \$160, mostly on a credit, taking a mortgage on the stock and crops. They had fourteen head of horses unsold.

Pleasant Lilly had put a portion of Shawhan's mules on a plantation and gone into partnership in the crop. From this it will be seen that most any shift is made to dispose of mules. Mr. Hart thinks, however, that there will be an improvement in the market shortly.

Jo Scott left this morning for Alabama, and expects to take a drove of mules he has there to Red river, where he will exchange them for cattle.

Mr. Geo. Allison, who is in Virginia with Squire B. F. Rogers' mules, having been taken sick, W. M. S. Rogers has gone on to dispose of the stock.

Mr. Barbee has returned from Harrisburg, Pennsylvania, where he sold eighty-two head the day after arriving. He made a profit on those recently purchased. He reached Harrisburg at a fortunate time, as the mules came in large numbers immediately after his arrival. When he left, the next day, there were 700 in pens, and he met others en route.

James Bobbitt sold forty head of yearlings in Harrisburg at very low prices. There were great many small and poor Indiana mules on the market.

James Long, of Scott county, passed through town this morning on his return from Harrisburg. He reports trade very dull—prices ranging from \$74 to \$140. A lot of yearlings purchased in Scott last August at \$130, sold at \$106. Mr. Long himself sold a lot at \$115 for which he was offered \$140 here. The market in Baltimore was comparatively good.

Mr. Baldwin, of Mason, sold a lot of the finest mules ever seen there, 16 hands high, at \$177.

Monroe Leer has returned from Alabama, where he was fortunate enough to dispose of his droves, though at low prices. A reference to him and several other traders will be found in a letter on our first page.

Thos. Turner, of Lair Station, who accompanied Kimbro's mules, passed through town to-day, on his return from New Orleans. They had succeeded in selling only a few mules, at very low prices and with hard work. Mr. T. gives a deplorable account of affairs down there. Negroes are living on cotton seed alone, and whites doing little better. There had been very cold weather in New Orleans, ice being two inches thick there yesterday week. We are indebted to Mr. T. for New Orleans papers of Friday evening. They deny most positively the report that the cholera is prevailing in that city.

**A Dream—A Respite.**—On Wednesday night a gentleman of this city dreamed that he had occasion to go to a jail in which a prisoner under sentence of death was confined. The man was to have been hung within forty-eight hours. While the gentleman was in the yard he saw and heard a friend of the condemned urging him to escape, and telling him that the door of his cell and the doors of the jail were unlocked. This was done in the presence and in the hearing of the jailer, who was evidently conniving at the escape. The man followed the advice of his friend and got into the jail yard, where he was worried by a dog, who had accidentally escaped from his kennel. The condemned became so enraged at this that he knocked the jailer down

with a club, and then scaled the wall and made good his escape.

The gentleman awoke with the conviction that Love would not be hanged Friday, and on opening the Bulletin saw that he had been reprieved by the Governor. The news had reached Maysville the previous day, but he had heard nothing of it.

**Radical Meeting on the 1st.**—Pursuant to an announcement, the Union men of Mason county assembled in Maysville on Saturday afternoon last, for the purpose of appointing delegates to the Frankfort convention, and for the transaction of other important business.

Mr. George Umstadt was called to the chair, and Thomas A. Davis appointed secretary. The object of the meeting having been stated, T. C. Campbell, Esq., moved the appointment of a committee of three to report suitable persons to act as a county committee and to select delegates to the Frankfort convention.

The chair named T. C. Campbell, James A. Lee, and Colonel L. B. Goggin as that committee.

The following persons constitute the county committee for the ensuing year: James A. Lee, chairman, Thomas A. Davis, secretary, Colonel L. B. Goggin, Newton Cooper and J. M. Ricketts.

After retiring for a few minutes, the committee announced the following gentlemen as delegates to the Frankfort convention: David Hunter, M. Pompey, Alexander Hunter, J. H. Measach, B. Thomas, Robert L. Wilson, Beverly Toile, Robert L. Gault, Jackson Sweet, Dr. J. W. Gault, Nosh Beaman, John Steers, J. N. Cole, John Hill, Holman Tarlton, Allison Calvert, R. W. Melby, George W. Wells, James Fagan, John Ward, B. R. Hill, Jonas Myall, James Wilson, R. E. Brooking, Josiah Wilson, William Mitchell, Langhorne Tabb, Johnson Peck, Walter E. Neal, Thos. Neal, Nat. Pemberton, W. W. Nolin, N. Shafter, John Shackelford, Thomas A. Davis, T. C. Campbell, James A. Lee, L. B. Goggin, J. M. Ricketts, J. Cooper, G. B. Brickett, George Umstadt, P. I. Key, D. S. Bonniwell, Captain James A. Lee presented the following resolutions, which were unanimously adopted.

**Resolved,** That we express our preference for General J. Grant as the next candidate for the presidency, but we pledge our hearty support to the nominees of the National Republican Convention to be held at Chicago, whoever they may be.

**Resolved,** That we pledge our hearty support to the nominees of the Union Republican State Convention, which meets at Frankfort on the 27th inst.

**Resolved,** That in the future we will nominate and support for office none but Union men, and that we recommend that the Union party of the State place in nomination Union men for every office, State and local.

**Resolved,** That the Union men of the Ninth Congressional District be earnestly requested to use every effort to extend the circulation of the Maysville Republican, and other Union newspapers.

**Resolved,** That the proceedings of this meeting be published in the Maysville Republican, Lexington Statesman, Frankfort Commonwealth, Catlettsburg Tribune, and Cincinnati Gazette.

No other business being presented, the meeting adjourned.

**George Umstadt, Chairman.**  
**Thomas A. Davis, Secretary.**

**Groceries.**—We take pleasure in calling special attention to the advertisement of W. Joe Ross & Co., who still hold forth at the old stand, on the north east corner of Market and Third streets. Mr. Ross has on hand a very excellent quality of groceries, including good New Orleans sugar, as well as all family supplies. It is the place to go for a number one quality of old Bourbon. Call in there for anything you may need in your line, and you will be well treated by W. Joe Ross, who gives the business his active superintendence. See advertisement in another column.

**A Painful Accident.**—During the cold snap some three weeks since, Mr. William Mitchell, an old and respected citizen of the neighborhood of Maysville, fell on the ice, while superintending the gathering of his ice crop, causing a simple fracture of the left thigh bone. Dr. B. C. Duke being called promptly sent the dislocation, and at last accounts the old gentleman was doing well. He has the warmest sympathy of the writer of this in his sore affliction.

**Coal.**—The poor of this city who have not provided themselves with fuel in advance have been in great danger of freezing this winter, all the coal yards being now empty. On yesterday, however, Mr. James Wornald commenced selling the contents of a flat reserved for the use of veterans. The wharf was lined with people, and coal readily sold at the rate of twenty-five cents per bushel, with a quarter to a drayman for hauling a barrel, in which measure it was sold in order that all might have a little.

**Something New on Ice.**—On Monday morning the attention of some persons on the Pickett was attracted by the novel spectacle of a dog floating down the river on a cake of ice. A boat put out immediately and the poor fellow was taken in out of the cold-utterly speechless.

"None knew his family, none his name, whether he was going or whence he came," but he seemed to be suitably impressed with the peculiar character of the situation.

**Sale of Mules.**—W. W. Baldwin has just returned from Pennsylvania, to which State he had previously driven seventy-eight head of mules. He sold them at \$177.50 per head. They cost him an average of \$215 per head. The Radical legislation against the South has bankrupted that people and destroyed the Kentucky trade with the Southern States.

**The Boston.**—This fine steamer passed up on Friday morning about 5 o'clock, with a heavy load of freight and express packages which had been accumulating more than a week. It was thought she would not return on Friday, but for her regular trip on Monday.

**Heavy Cattle.**—Mr. Dryden, of the neighborhood of Sardinia, sold a yoke of steers last week to Wm. J. Chandler, for 75 cents per lb. The pair weighed 4,300 pounds. They were smooth and well fattened and have been shipped East.

**Rev. Scudder and Evans** are holding a series of meetings at Washington. We are not advised of the success they are making.

## Remarkable Correspondence.

## JOHNSON vs. GRANT.

The Speaker laid before the House a communication from the War Department, enclosing the following document:

WAR DEPARTMENT, Feb. 4, 1868.

SIR:—In answer to the resolution of the House of Representatives of the 5th inst., transmitting herewith copies of a letter from General Grant, of the correspondence between him and the President, relating to the Secretary of War, which he reports to be all the correspondence he had with the President on the subject.

I have had no correspondence with the President since the 12th of August last. After the action of the Senate on the 14th inst., I returned to the duties of that office as required by act of Congress, and have continued to discharge them without any personal or written communication with the President. No papers have been issued from this department in the name of the President with my knowledge. I have received no orders from him. The correspondence sent herewith embraces all the correspondence known to me on the subject referred to in the resolution of the House of Representatives.

I have the honor to be, sir, with great respect, your obedient servant,  
EDWIN M. STANTON,  
Secretary of War.

HON. SCHUYLER COLfax, Speaker of the House of Representatives.

HEADQUARTERS ARMY OF THE U. S.,  
WASHINGTON, D. C., Jan. 25, 1868.

His Excellency, Andrew Johnson, President of the United States:

SIR:—On the 25th inst., I requested you to give me in writing the instructions which you had previously given me verbally, in order to obey my order from Hon. E. M. Stanton, Secretary of War, unless I knew it came from yourself. In this written request I received a message that has left doubt in my mind as to your intention, to prevent any possible misunderstanding, therefore, I renew the request that you will give me written instructions, and until I receive them I will suspend action under your verbal orders. As I am compelled to act, I have been obliged to write in consequence of many gross misrepresentations affecting my personal honor circulated through the press. I am, sir, in a position to state that I have been accused of having occurred either with the President privately in his office, or in cabinet meetings. What is written admits of no misunderstanding. In view of the misrepresentation referred to, I am bound to state the facts as they are.

Some time after I assumed the duties of Secretary of War ad interim, the President asked my views as to the course Mr. Stanton would have to pursue, in case the Senate should not confirm his reappointment, and in case of his resignation. My reply was, in substance, that Mr. Stanton would have to appeal to the courts in order to be reinstated, illustrating my position by citing the grounds on which the President had removed him. In that case I did not submit the technical right of Gov. Seward to remove the Commissioner and appoint another. As the old Commissioner refused to give up, however, I contended that no recourse was left but to appeal to the courts.

During that time the President was desirous of having Mr. Stanton, out of office, whether sustained in the suspension or not. I told him I would look particularly into the tenure of his office, saying that what I had stated was a general principle, and if I could change the tenure of his office, I would do so. Subsequently on reading the report of the President, I found I could not, without violation of the law, refuse to execute the office of Secretary of War. The President was reinstated by the act of Congress, and I retained it, which he never did.

Taking this view of the subject, and learning that the President was desirous of having Mr. Stanton, out of office, I decided that I should take up the subject of Stanton's suspension, after some conversation with Lieutenant General Sherman and some members of my staff, in which I stated that I was not disposed to do so, and that I would not resign. In this I fulfilled the promise made in our last preceding conversation on the subject. The President, however, instead of accepting my view of the requirements of the tenure of office, insisted that he had suspended Mr. Stanton under the authority given by the Constitution, and the same authority did not preclude him from reporting as an act of courtesy, his reasons for the suspension, and that he was not bound by the Constitution and not under act of Congress, I stated that the law was binding on me. Constitution or not, until set aside by the proper tribunal.

An hour was consumed in each reiterating his views on this subject, until getting late, the President said he would see me again. He did not appear until after 10 o'clock, and at any other definite time, nor was I sent for by the President until the following Tuesday. From the 11th inst. to the Cabinet meeting on the 14th inst., a doubt never entered my mind as to the President's intention to reinstate me, namely: that if the Senate refused to concur in the suspension of Mr. Stanton, my powers as Secretary of War, ad interim, would cease, and Mr. Stanton's right to resume at once the functions of his office would be restored, and I would be reinstated. I acted accordingly. With Mr. Stanton I had no communication, direct or indirect, upon the subject of his suspension, or of my resignation. I knew it had been recommended to the President to send the name of Governor Cox, of Ohio, for Secretary of War, and that he had assented to a proposition to resign. I sincerely hoped that the President would favorably receive General Sherman's suggestion, General Sherman seeing the President at my particular request to urge this on the 13th.

On Tuesday Mr. Stanton re-entered the office of the Secretary of War. Gen. Cox, who had carried my official letter announcing Mr. Stanton's reinstatement by the Senate, and that I had ceased to be Secretary of War ad interim, and who saw the President open up the subject of the resignation of the Secretary of War, and I saw him from the President's message that he wanted to see me at the Cabinet meeting, after I had in the known fact that I was no longer Secretary of War ad interim. At this meeting, after opening up the subject, I was a member of his Cabinet, when reminded that notification had already been given him that I was no longer Secretary of War ad interim, and that the President had given him the order to resign. I stated that I had never accepted the office.

After hearing the President through, I gave him my conversation substantially as stated in this letter. I will add that my conversation before the Cabinet was entirely on matters not pertinent here, and therefore left out. I am now admitting the correctness of the President's statement of our conversation, though to soften the evident contradiction contained in the letter of the law, and our first conversation on the subject, the President might have understood me the way he said, namely, that I had promised to resign if I did not resist the reinstatement. I made no such statement.

I have the honor to be,  
Very respectfully, your obedient servant,  
U. S. GRANT,  
General.

HON. AS ARMY OF THE UNITED STATES,  
WASHINGTON, D. C., Jan. 25, 1868.

To His Excellency, Andrew Johnson, President of the United States:

SIR: I have the honor very respectfully to request to have in writing the order which the President gave me verbally, on Monday, the 19th inst., to disregard the orders of the Hon. E. M. Stanton as Secretary of War, until I knew from the President himself that they were his orders. I have the honor to be,  
Very respectfully, your obedient servant,  
U. S. GRANT,  
General.

The following is the endorsement on this note:  
At requested in this communication, General Grant is instructed in writing not to obey any order from the War Department, assumed to be issued by the direction of the President, unless such order is known by the General commanding the Armies of the United States to have been authorized by the Executive.

ANDREW JOHNSON.  
JANUARY 20, 1868.

HEADQUARTERS ARMY OF THE U. S.,  
WASHINGTON, D. C., Jan. 25, 1868.

His Excellency, Andrew Johnson, President of the United States:

SIR: I have the honor to acknowledge the return of my note of the 24th inst., with your endorsement thereon that I am not to obey any order of the War Department assumed to be issued by order of the President unless such order is known by me as authorized by the Executive, and reply thereto by saying that I am informed by the Secretary of War that he has not received from the Executive any order or instructions limiting or impairing his authority to issue orders to the army as has heretofore been his practice under the laws and customs of the Department. In submitting this request, with which I complied on the 19th inst., you take occasion to allude to a recent publication in reference to the circumstances connected with the resignation of yourself of the office of Secretary of War ad interim, and with a view of correcting the statements which you term gross misrepresentations, give at length your own recollection of the facts under which and without the sanction of the President, from whom you had received and accepted the appointment, you yielded the Department of War to the present incumbent.

As stated in your communication, some time after you had assumed the duties of Secretary of War ad interim, that we interchanged views respecting the course that should be pursued in the event of the non-concurrence by the Senate in the reappointment of Mr. Stanton. I sought that interview, calling myself at the War Department. My sole object in then bringing the subject to your attention was to ascertain what would be your own action should such an attempt be made for his restoration to the War Department. That object was accomplished, for the interview terminated with the distinct understanding that, if after reflection, you should prefer not to become a party to the controversy, or conclude that it would be your duty to surrender the Department to Mr. Stanton upon action in his favor by the Senate, you were to return the office to me prior to action by the Senate, and that, if I desired to do so, I might designate some one to succeed you.

It must have been apparent to you that, had not an understanding been reached, it was my purpose to relieve you of the further discharge of the duties of Secretary of War ad interim, and to appoint some other one in that capacity. Other conversations upon the subject ensued, all having, on my part, the same object and leading to the same conclusion as at the first. It is not necessary, therefore, to refer to any of them, except the statement mentioned in your communication. As it was then known that the Senate had proceeded in the case of Mr. Stanton, I was anxious to learn your determination. After a protracted interview, during which the provisions of the tenure of office bill were fully discussed, you said that, as it had been agreed upon in our first conference, you would either resign the office to my possession in time to enable me to appoint a successor before the final action of the Senate upon Mr. Stanton's suspension, or would remain at his head, awaiting a decision by judicial proceedings.

It was then understood that there would be a further conference on Monday, by which time I supposed you would be prepared to inform me of your decision. You failed, however, to fulfill the engagement, and on Tuesday notified me in writing of the receipt of your official notification of the action of the Senate in reference to Mr. Stanton, and at the same time informed me that, according to the act regulating the tenure of certain civil offices, your functions as Secretary of War ad interim ceased from the moment of the receipt of the notice. You thus, in disregard of the understanding between us, vacated the office without having given notice of your intention to do so. It is but just to say, however, that, in your communication, you claim that you did inform me of your purpose, and thus fulfilled the promise made in our last preceding conversation on the subject.

The fact of such a promise existing is evidence of an arrangement of the kind I have mentioned. You have found in our first conference that the President was desirous of keeping Mr. Stanton out of office whether sustained in the suspension or not. You knew what reasons had induced the President to take such a course. You knew also that in case your views of duty did not accord with his own convictions, it was his purpose to fill your place by another appointment. Even ignoring the existence of a positive understanding between us, the statement, as there plainly deducible from our various conversations. It is certain, however, that even under these circumstances, you did not offer to return the place to my possession, but, according to your own statement, placed yourself in a position where, could I have anticipated your action, I would have been compelled to ask of you, as I was compelled to ask of your predecessor in the War Department, a letter of resignation, and to request the President to agree to a resignation of your resignation by the appointment of a successor.

As stated in your letter, the nomination of Gov. Cox, of Ohio, for Secretary of War was suggested to me. His appointment as Mr. Stanton's successor was not in question, and it was said his selection would save further embarrassment. I did not think that in the selection of a Cabinet officer I should be troubled by such considerations, and was prepared to take the responsibility of doing so, in accordance with my ideas of constitutional duties, and having determined upon a course which I deemed right and proper, I was anxious to return the steps you would take should possession of the War Department be demanded by Mr. Stanton. Had your action been in conformity with the understanding between us, I do not believe that the President would have been troubled by your present position, or that the probabilities of their repetition would have been so great.

I know that with a view to an early termination of a state of affairs so embarrassing to the public interests you voluntarily offered both on Monday, the 15th inst., and on the succeeding Sunday to call upon Mr. Stanton and urge upon him that the good of the service required his resignation. I confess I considered your proposal as a sort of reparation for the failure on your part to act in accordance with an understanding, more than once repeated which I considered received your full assent, and under which you had returned to the office which I had conferred upon you, thus saving yourself from embarrassment and leaving the responsibility where it properly belonged—with the President, who is accountable for the faithful execution of the law. I have not yet been informed by you whether, as twice proposed by yourself, you had called upon Mr. Stanton and made an effort to induce him to voluntarily resign from the War Department.

You conclude your communication with a reference to our conversation at the meeting of the Cabinet on the 14th inst. In your account of what there occurred, you say that "after the President had given his version of our previous conversations, you stated them substantially as given in your letter, and that you in no wise admitted the correctness of his statement, though, to soften the evident contradiction of my statement, I said, alluding to our first conversation on the subject, the President might have understood it the way stated, viz: 'that I had promised to resign if I did not resist the reinstatement.' I made no such promise."

My recollection of what then transpired is diametrically the reverse of your declaration. In the presence of the Cabinet, I asked you if you had a conversation with Mr. Stanton shortly after your appointment as Secretary of War ad interim, you did not agree to remain at the head of the War Department and abide any judicial proceedings that might follow the reappointment of the Secretary in Mr. Stanton's stead; or, should you not wish to become involved in such controversy, put me in the same position with reference to the office previously to your appointment by returning it to me in time to anticipate such action by the Senate? This you admitted.

I then asked you if at the time of the conference on the preceding Saturday I had not, to avoid misunderstanding, requested you to state what you intended to do, and further, in reply to that inquiry, you had not referred to my former conversations, saying that from them I understood your position, and that your action would be consistent with the understanding which you had reached with me on the subject. You also replied in the affirmative.

I next asked if, at the conclusion of our interview on Saturday, it was understood we named to have another conference on Monday before the final action of the Senate on the case of Mr. Stanton. You replied that such was the understanding, and that you did not suppose the Senate would play indicate, on Monday you said you had been engaged in a conference with Gen. Sherman, and were occupied with many little matters, and asked if Gen. Sherman had not called on me that day. What relevant Gen. Sherman's visit to me on Monday had with the purpose for which you were to have called, I am at a loss to perceive, as he certainly did not inform me whether you named to have another conference or to afford me an opportunity to appear in person, in advance of any attempted reinstatement of Mr. Stanton.

This account of what passed between us at the Cabinet meeting on the 14th inst., widely differs from that contained in your communication, for it shows that, instead of having stated our conversations as given in the letter which has made this reply necessary, you admitted that you retained a careful reading of accurate. Sincerely anxious, however, to be correct in my statements, I have to day read this narration of what occurred on the 14th inst. to the members of the Cabinet who were present. They, without exception, agree in its accuracy, that, on Wednesday morning, the 15th, you called on me in company with Lieut. Gen. Sherman. After some preliminary conversation, you referred to an article in the National Intelligencer of that date, did you much injustice. I replied that I had not read the Intelligencer of that morning. You first told me it was your intention to resign. Stanton to resign his office.

After you had withdrawn I carefully read the article of which you spoke, and found its statements of the understanding between us to be substantially correct. On the 17th I caused it to be read to four or five members of the cabinet who were present at our conference on the 14th, and they concurred in the general accuracy of the statements respecting our conversation on that occasion. In reply to your communication I have deemed it proper, to prevent further misunderstanding, to make this simple recital of facts.

Very respectfully yours,  
General Grant, Commanding United States Army.

HON. AS ARMY OF THE UNITED STATES,  
WASHINGTON, D. C., Feb. 3, 1868.

His Excellency, Andrew Johnson, President of the United States:

SIR:—I have the honor to acknowledge the receipt of your communication of the 31st ult., in answer to mine of the 25th inst. After a careful reading and comparison of the 15th ult. with the article over the initials, J. B. S., in the New York World of the 28th ult., purporting to be based upon your statement and that of the members of the Cabinet therein named, I find it to be but only a repetition, only somewhat more in detail, of the many and gross misrepresentations contained in that article, and which my statement of facts in my letter of the 24th ult. was intended to correct. I am anxious to reassert the correctness of my statements in that letter, anything in yours in reply to the contrary notwithstanding.

I confess that the members of the Cabinet referred to should so greatly misapprehend the facts concerning the admission alleged to have been made by me at the Cabinet meeting on the 14th ult., as to suffer their names to be made the basis of charges in the newspaper article referred to, or agree to the accuracy, as you affirm they do, of your account of what occurred at that meeting. You know we parted on the 11th ult. without any promise on my part to express or imply to the effect that I would hold on to the office of Secretary of War ad interim against the action of the Senate, or declining to do so, would surrender it to you before such action was taken, or that I would see you again at a fixed time on the subject.

The performance of the promises alleged to have been made by me would have involved a renunciation of the law, in an inconsistency with the whole history of my connection with the suspension of Mr. Stanton. From our conversation and my written protest of Aug. 1st, 1867, against the removal of Mr. Stanton, you must know my greatest objection to his removal was the fact that some one would be appointed in his stead who would, by their opposition to the laws relating to the restoration of the Southern States to their proper relations to the Government, embarrass the army in the performance of the duties especially imposed upon it by the laws, and that it was to prevent such an appointment that I accepted the appointment of Secretary of War ad interim, and not for the purpose of enabling you to get rid of Mr. Stanton by withholding from him in opposition to the law, or not doing so myself, surrender to one who would make the statement and assumptions in your communication, and thereby indicate, as sought; and it was to avoid this danger, as well as to relieve you from the personal embarrassment in which Mr. Stanton's reinstatement would place you, that I urged the appointment of Governor Cox, believing it would be agreeable to you and also to Mr. Stanton.

Satisfied as I was that it was the good of the country and the office the latter desired, on the 14th ult., in the presence of Gen. Sherman, I stated to you that I thought Mr. Stanton would resign, but did not say I would advise him to do so. On the 15th I did agree with Gen. Sherman to go and induce him to that course, and on the 19th I had an interview alone with Mr. Stanton, which led me to the conclusion that any advice would be useless and so informed Gen. Sherman. Before I consented to advise Mr. Stanton to resign, I understood from him, in a conversation on the subject immediately after his reinstatement, it was his opinion that the act of Congress entitled an act temporarily to supply vacancies in the Executive Department in certain cases, approved Feb. 20, 1863, was repealed by subsequent legislation, which materially influenced my action.

Previous to this time I had no doubt that the law of 1863 was still in force, and which I never doubted you fully understood, and in accordance with law, and not in disobedience to any orders of my superior.

And now, Mr. President, when my honor as a soldier and integrity as a man has been so violently assailed upon for saying that I can but resign this whole matter from beginning to end as an attempt to involve me in the resistance of the law, for which you have assumed the responsibility, in order that you may destroy the character before the country. I am in a measure confirmed in this conclusion by your recent orders, directing me to disobey orders from the Secretary of War, and to resign my office, and in accordance with the law, and not in disobedience to any orders of my superior.

I have the honor to be, very respectfully, your obedient servant,  
U. S. GRANT, General.

EXECUTIVE MANSION, Jan. 31, 1868.

GENERAL: I have received your communication of the 25th inst., renewing your request of the 24th, that I should repeat in a written form the verbal instructions which I gave you on the 19th inst. You take occasion to allude to a recent publication in reference to the circumstances connected with the resignation of yourself of the office of Secretary of War ad interim, and with a view of correcting the statements which you term gross misrepresentations, give at length your own recollection of the facts under which and without the sanction of the President, from whom you had received and accepted the appointment, you yielded the Department of War to the present incumbent.

As stated in your communication, some time after you had assumed the duties of Secretary of War ad interim, that we interchanged views respecting the course that should be pursued in the event of the non-concurrence by the Senate in the reappointment of Mr. Stanton. I sought that interview, calling myself at the War Department. My sole object in then bringing the subject to your attention was to ascertain what would be your own action should such an attempt be made for his restoration to the War Department. That object was accomplished, for the interview terminated with the distinct understanding that, if after reflection, you should prefer not to become a party to the controversy, or conclude that it would be your duty to surrender the Department to Mr. Stanton upon action in his favor by the Senate, you were to return the office to me prior to action by the Senate, and that, if I desired to do so, I might designate some one to succeed you.

It must have been apparent to you that, had not an understanding been reached, it was my purpose to relieve you of the further discharge of the duties of Secretary of War ad interim, and to appoint some other one in that capacity. Other conversations upon the subject ensued, all having, on my part, the same object and leading to the same conclusion as at the first. It is not necessary, therefore, to refer to any of them, except the statement mentioned in your communication. As it was then known that the Senate had proceeded in the case of Mr. Stanton, I was anxious to learn your determination. After a protracted interview, during which the provisions of the tenure of office bill were fully discussed, you said that, as it had been agreed upon in our first conference, you would either resign the office to my possession in time to enable me to appoint a successor before the final action of the Senate upon Mr. Stanton's suspension, or would remain at his head, awaiting a decision by judicial proceedings.

It was then understood that there would be a further conference on Monday, by which time



